

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Promote Policy
and Program Coordination and Integration in
Electric Utility Resource Planning.

Rulemaking 04-04-003
(Filed April 1, 2004)

To: ALL PARTIES OF RECORD IN THE ABOVE-CAPTIONED PROCEEDING

NOTICE OF AVAILABILITY

The draft decision of ALJ Wetzell has been made available at
http://www.cpuc.ca.gov/PUBLISHED/COMMENT_DECISION/49941.htm
on September 27, 2005.

As summarized in the ALJ's draft decision:

Reaffirming and clarifying the policy framework that it established in Decision (D.) 04-01-050 and D.04-10-035, the Commission implements a program of resource adequacy requirements (RAR) applicable throughout the service territories of California's three largest investor-owned electric utilities (IOUs). The IOUs as well as electric service providers (ESPs) and community choice aggregators (CCAs) (collectively, load-serving entities or LSEs) are required to demonstrate that they have acquired the capacity needed to serve their forecast retail customer load and a 15-17% reserve margin beginning in June 2006. The Commission takes this action to promote investment in the resources needed to reliably serve California's growing demand for electricity and ensure that those resources are available to the California Independent System Operator (CAISO), all while effectively and fairly allocating procurement and reliability responsibilities among market participants and oversight agencies.

The draft decision recommends several important program determinations to ensure resource adequacy.

Any recipient of this Notice of Availability who is not receiving service by electronic mail in this proceeding or who is unable to access the link to the Commission's web site given above may request a paper copy of the draft decision from the Commission's Central Files Office, at (415) 703-2045; fax number (415) 703-2263; e-mail cen@cpuc.ca.gov.

The draft decision will not appear on the Commission's agenda for at least 30 days after the date it is mailed. The Commission may act then, or it may postpone action until later.

When the Commission acts on the draft decision, it may adopt all or part of it as written, amend or modify it, or set it aside and prepare its own decision. Only when the Commission acts does the decision become binding on the parties.

Parties to the proceeding may file comments on the draft decision as provided in Article 19 of the Commission's "Rules of Practice and Procedure," accessible on the Commission's website at <http://www.cpus.ca.gov/PUBLISHED/RULES PRAC PROC/44887.htm>. Pursuant to Rule 77.3 opening comments shall not exceed 15 pages.

Comments must be filed with the Commission's Docket Office. Comments should be served on parties to this proceeding in accordance with Rules 2.3 and 2.3.1. Electronic copies of comments should be sent to ALJ Wetzell at msw@cpuc.ca.gov. All parties must serve hard copies on the ALJ and the assigned Commissioner, and for that purpose I suggest hand delivery, overnight mail or other expeditious methods of service. The current service list for this proceeding is available on the Commission's web site, www.cpus.ca.gov.

Dated September 27, 2005, at San Francisco, California.

/s/ ANGELA K. MINKIN by LTC

Angela K. Minkin, Chief
Administrative Law Judge

R.04-04-003 ALJ/MSW/sid

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